



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**

Administration Division  
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February 25, 2021

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Ave. NW  
Washington, DC 20500

The Honorable Monty Wilkinson  
Acting Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Regina Lombardo  
Acting Director  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
99 New York Avenue, NE  
Washington, DC 20226

RE: ***3D-Printed Guns***

Dear Mr. President, Acting Attorney General Wilkinson and Acting Director Lombardo:

On behalf of the states of Washington, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Wisconsin, and the District of Columbia, we write to urge your Administration to act swiftly to ensure that undetectable, untraceable, 3D-printed firearms remain meaningfully regulated here in the United States and abroad.

Through two successive lawsuits against the Trump Administration, states in our coalition have been holding the line against the deregulation and proliferation of computer files that, with the push of a button, can be used to “print” fully functional weapons using plastic material that can pass through metal detectors. Commercially available 3D printers cost as little as a few hundred dollars. As a result of our efforts to preserve the Obama Administration’s successful regulation of 3D-printed firearm files by maintaining them on the United States Munitions List, these files

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currently cannot be published on the internet or otherwise exported without the threat of criminal sanctions.<sup>1</sup>

But our success in the litigation is far from certain. If your Administration does not act quickly, a court ruling could at any moment allow the files to proliferate across the internet, both domestically and globally. Currently, a preliminary injunction bars the Trump Administration's reckless attempt to remove the files from the Munitions List and transfer them to the Commerce Department's jurisdiction—without giving Commerce the power it would need to actually control the files' posting and export. The injunction preventing these rules from going into effect is currently on appeal to the Ninth Circuit and, though we believe the injunction was properly granted, a ruling reversing the injunction could come down at any time.

In 2015, the State Department stated it was "particularly concerned that [the] proposed export of undetectable firearms technology could be used in an assassination, for the manufacture of spare parts by embargoed nations, terrorist groups, or to compromise aviation security overseas in a manner specifically directed at U.S. persons." Today, these concerns are as salient as ever, and the renewed threat of domestic terrorism heightens the urgency of ensuring that these files cannot be posted freely on the internet. The horrifying events of January 6, 2021 showed us how easily online misinformation can proliferate and lead to extremist violence. Our country might suffer new horrors if the instruments of such violence can proliferate online as well.

Urgent action is needed to regulate 3D-printed firearm files and prevent undetectable plastic weapons from becoming widely available. There are multiple options for controlling these items effectively. We and our teams have become experts in these issues and would be happy to consult with your Administration. If you would like to arrange a call or meeting with members of the multistate group, please contact Jeff Rupert, Division Chief, Complex Litigation Division, Washington Attorney General's Office, at [jeffrey.rupert@atg.wa.gov](mailto:jeffrey.rupert@atg.wa.gov).

Sincerely,



Bob Ferguson  
Washington State Attorney General



Philip J. Weiser  
Colorado Attorney General

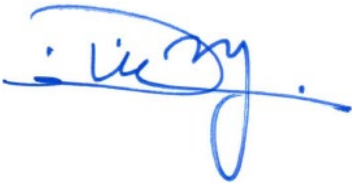
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<sup>1</sup> *Washington v. U.S. Dep't of State*, 420 F. Supp. 3d 1130 (W.D. Wash. 2019), *appeal dismissed sub nom. Washington v. Def. Distributed*, 2020 WL 4332902 (Jul. 21, 2020); *Washington v. U.S. Dep't of State*, 443 F. Supp. 3d 1245 (W.D. Wash. 2020).

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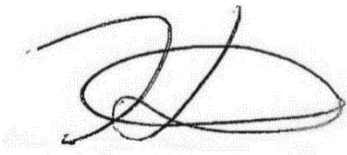
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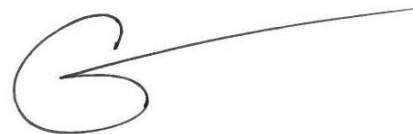
William Tong  
Connecticut Attorney General



Kathleen Jennings  
Delaware Attorney General



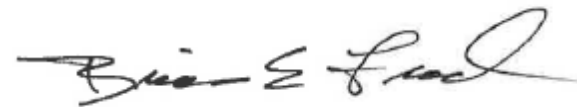
Karl A. Racine  
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Clare E. Connors  
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Kwame Raoul  
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Letitia James  
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Ellen F. Rosenblum  
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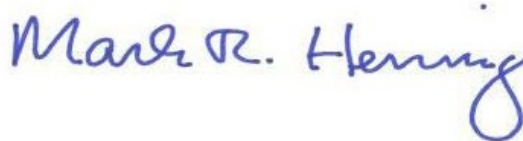
Josh Shapiro  
Pennsylvania Attorney General



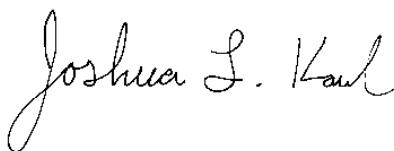
Peter Neronha  
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Wisconsin Attorney General